



CHAPTER cxxi.

An Act for incorporating and conferring powers upon the
Liverpool Hydraulic Power Company; and for other
purposes. A.D. 1884.
[14th July 1884.]

WHEREAS the establishment at Liverpool of a system for
applying motive power by hydraulic pressure to be used
for working cranes dock-gates and other machinery and for the
extinction of fire and for other purposes would be of local and
public advantage:

And whereas the persons herein-after named are willing with
others to undertake the establishment of such a system and it is
expedient that they be incorporated into a company for that purpose:

And whereas the objects of this Act cannot be obtained without
the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and
be it enacted by the Queen's most Excellent Majesty by and with
the advice and consent of the Lords Spiritual and Temporal and
Commons in this present Parliament assembled and by the authority
of the same, as follows:—

1. This Act may be cited for all purposes as the Liverpool Short title.
Hydraulic Power Act 1884.

2. The Companies Clauses Consolidation Act 1845 Part I. Incorporation of
general Acts.
(relating to cancellation and surrender of shares) of the Com-
panies Clauses Act 1863 and the Lands Clauses Consolidation Acts
1845 1860 and 1869 (except the provisions of the Lands Clauses
Consolidation Act 1845. with respect to the purchase of lands
otherwise than by agreement and with respect to the entry upon
lands by the promoters of the undertaking and with respect to
small portions of intersected lands) are (except where expressly
varied by this Act) incorporated with and form part of this Act.

3. In this Act the several words and expressions to which Interpreta-
tion.
meanings are assigned by the Acts wholly or partially incorporated

A.D. 1884. with this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction :

The expression "the Company" means the Company incorporated by this Act ;

The expression "the undertaking" means the undertaking authorised by this Act ;

The expression "the Liverpool Corporation" means the mayor aldermen and citizens of the city of Liverpool ;

The expression "the Bootle Corporation" means the mayor aldermen and burgesses of the borough of Bootle-cum-Linacre (which borough is in this Act referred to as Bootle) ;

And the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partially incorporated herewith shall for the purposes of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Company in-
corporated.

4. The General Hydraulic Power Company (Limited) James Joseph Allport William Lansdowne Beale Adolphus William Young Henry Chapman William Thomas Western and John Whichcord and all other persons and corporations who have already subscribed or shall hereafter become proprietors in the undertaking and their executors administrators successors and assigns respectively shall be and are hereby united into a company for the purposes of this Act and for those purposes shall be incorporated by the name of "The Liverpool Hydraulic Power Company" and by that name shall be and are hereby constituted a body corporate with perpetual succession and a common seal and with power to purchase take hold and dispose of lands and other property for the purposes of this Act.

Defining
district of
Company.

5. The district of the Company for the purposes and subject to the provisions of this Act shall have for its western boundary the River Mersey for its northern boundary the Aintree and Bootle Branch of the Lancashire and Yorkshire Railway for its eastern boundary an imaginary line drawn parallel to and at a distance of five hundred yards from and east of the centre line of Regent Road Waterloo Road Wapping and Sefton Street and for its southern boundary an imaginary line drawn along the centre of South Hill Road in a westerly direction from its junction with Beloe Street and continued to the River Mersey.

Capital.

6. The capital of the Company shall be eighty thousand pounds in eight thousand shares of ten pounds each.

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7. The Company shall not issue any share created under the authority of this Act nor shall any share vest in the person accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof.

Shares not to be issued until one-fifth part thereof shall have been paid up.

8. One-fifth of the amount of a share shall be the greatest amount of a call and three months at least shall be the interval between successive calls and three-fourths of the amount of a share shall be the utmost aggregate amount of calls in any year upon any share.

Calls.

9. If any money be payable to any shareholder being a minor idiot or lunatic the receipt of the guardian of his estate or committee as the case may be shall be a sufficient discharge to the Company for the same.

Receipts on behalf of incapacitated persons.

10. The Company may from time to time borrow on mortgage any sum not exceeding in the whole sixteen thousand pounds (that is to say) in respect of each twenty thousand pounds of the capital of eighty thousand pounds the Company may borrow any sum not exceeding four thousand pounds but no part of any such sum of four thousand pounds shall be borrowed until the whole capital of twenty thousand pounds in respect of which the borrowing power is exercised is issued and accepted and one-half thereof is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 (before he so certifies) that the whole of such capital of twenty thousand pounds has been issued and accepted and that one-half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such capital was issued bonâ fide and is held by the persons or corporations to whom the same was issued or their executors administrators successors or assigns and that such persons or corporations their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

Power to borrow.

11. The mortgagees of the Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a

For appointment of a receiver.

A.D. 1884. receiver is made shall not be less than four hundred pounds in the whole.

Application of moneys.

12. All moneys raised under this Act whether by shares debenture stock or borrowing shall be applied only to the purposes of this Act to which capital is properly applicable.

First ordinary meeting.

13. The first ordinary meeting of the Company shall be held within six months next after the passing of this Act.

Quorum of general meetings.

14. The quorum of a general meeting of the Company whether ordinary or extraordinary shall be ten shareholders holding in the aggregate not less than two thousand pounds of the capital of the Company.

Number of directors.

15. The number of directors shall be six but the Company may from time to time reduce the number of directors so that the number be not less than three.

Qualification of directors.

16. The qualification of a director shall be the possession in his own right of not less than forty shares.

Quorum.

17. The quorum of a meeting of directors shall be three and if the number of directors is three the quorum shall be two.

First directors.

18. James Joseph Allport William Lansdowne Beale Adolphus William Young Henry Chapman William Thomas Western and John Whichcord shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act. At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or any of them or may elect a new body of directors or directors to supply the place of those not continued in office the directors appointed by this Act being if qualified eligible for re-election and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power hereinbefore contained for reducing the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions in the Companies Clauses Consolidation Act 1845 contained and the several persons elected at any such meeting being neither removed nor disqualified nor having resigned shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Power to acquire lands by agreement.

19. The Company may from time to time acquire but only by agreement and may hold and use any lands (not exceeding five acres in the whole) which they may think requisite for any of the purposes of the undertaking and may acquire provide erect maintain

and use and work thereon any buildings steam and other engines machinery apparatus and conveniences which they may think requisite for any of the purposes of the undertaking. A.D. 1884. —

20. Subject to the provisions of this Act the Company from time to time may take at any point or points within their district under this Act and may use for the purposes of their undertaking and distribute within their said district as they from time to time find requisite the water of the River Mersey not exceeding in quantity in any one day (reckoned from midnight to midnight) an aggregate of one million gallons. Power to use water taken from the River Mersey.

21. The Company on the one hand and the Mersey Docks and Harbour Board the Company of Proprietors of the Leeds and Liverpool Canal and the Liverpool Corporation or any or either of them on the other hand may from time to time enter into and carry into effect agreements with reference to the supply to and use by the Company for the purposes of the undertaking of water from the said docks or canal or from the waterworks mains or pipes of the said Corporation. Power to use other water by agreement.

22. In laying down or executing or in effecting the repairs or renewals of any mains pipes or other works in the exercise of the powers contained in this Act upon across over under or in any way affecting the lands or property now or hereafter belonging to or used or occupied by the London and North Western Railway Company (in this Act referred to as "the railway company") or the bridges approaches viaducts stations or other works of the railway company or in any street where the same is crossed on the level by the railways or sidings of the railway company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the railway company and only according to such plans and in such manner as shall be submitted to and as shall be previously reasonably approved by him and by and at the expense of the Company who also shall restore and make good the roads over any bridges level crossings and approaches which the railway company are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Company and all such works and operations and all matters incidental thereto shall be constructed executed and done so as not to cause any injury to such railways bridges approaches viaducts stations works lands or property or interruption to the passage or conduct of traffic over such railways or at any station thereon and if any such injury or interruption shall arise from or in any way be owing to any of the works operations and matters aforesaid or to the bursting leakage or failure of For the protection of London and North Western Railway Company.

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any such mains pipes or works the Company shall make compensation to the railway company in respect thereof the amount of such compensation together with full costs to be recoverable by the railway company from the Company by all and the same means as any simple contract debt is recoverable:

Whenever the Company shall commence any of the works by this Act authorised crossing or in any way affecting the said railways works or lands of the railway company they shall proceed with and complete the same with all due despatch.

For protection of Mersey Docks and Harbour Board.

23. Nothing in this Act shall be deemed to authorise the Company to enter upon take or use for any purpose whatever or to open break up or interfere with any land street thoroughfare quay or other property of the Mersey Docks and Harbour Board or to take any water from any dock or basin belonging to that board without first obtaining the consent of the board.

Water to be used for the purposes of motive power only.

24. The Company shall not at any time without the consent in writing of the Liverpool Corporation supply water to be used nor shall any person use the water so supplied by the Company for any purpose other than hydraulic power as authorised by this Act and if and whenever the Company supply water at any place or any person uses water contrary to this enactment they shall (in addition to and not in substitution for or abatement of any remedy at law or in equity) for every such offence forfeit to the Corporation the sum of not exceeding twenty pounds and a further sum of not exceeding ten pounds for every day the offence continues after the penalty of twenty pounds is incurred (provided that in the case of persons supplied by the Company notice of this enactment shall have been given) and the said sums shall be recoverable in a summary manner before any court of summary jurisdiction.

Power to supply motive power and to sell and let machinery, &c.

25. Subject to the provisions of this Act the Company may within their district under this Act supply motive power by hydraulic pressure for any purposes to which such motive power is applicable to any person or persons or company and may purchase and sell or let for hire and may erect and work any machinery or other apparatus for the purpose of utilizing such motive power upon such terms (pecuniary or otherwise) and subject to such conditions as may be agreed upon between the Company and the person or persons or company to whom the same is so let.

Certain plant of the Company not liable to distress for rent, &c.

26. The meters and pipes and other works and appliances of the Company used for the purpose of supplying such motive power as aforesaid shall not be liable to distress for rent of the premises where the same are situated or used or to be attached or taken in

execution under any process in any court of law or equity or in any other legal proceedings against any person or persons or any company other than the Company nor shall any machinery or apparatus so let as aforesaid and not fixed to the freehold of the premises where the same are situated or used be so liable provided that such machinery or apparatus is the actual property of the Company and has upon it a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Company as the actual owners thereof Provided always that this section shall have effect only so long as the Company do not themselves make or manufacture any of the machinery or apparatus so let as aforesaid.

27. The price to be charged by the Company for the supply of water for the purposes authorised by this Act shall not exceed ten shillings per one thousand gallons Provided that the Company shall not be required to charge as for less than four thousand gallons in any quarter of a year and the same price for an equal quantity of water shall be charged by the Company to all persons supplied by them.

Limiting charge for water.

28. Subject to the provisions of this Act the Company shall supply at the request of any owner or lessee holding a lease with an unexpired term of more than seven years of property within one hundred yards of any main of the Company and situate in a street comprised in the areas specified in the schedule to this Act a service-pipe to such property from such main for the purpose of supplying such property with hydraulic power provided such owner or lessee shall pay or agree to pay to the Company the proper price or charge for the supply of water and the cost incurred in providing and laying such service-pipe.

Service pipes to be laid on demand to property within one hundred yards of mains, &c.

29. The Liverpool Corporation will except as herein-after provided upon the Company serving on the city engineer of the said Corporation (herein-after called the city engineer) a notice in writing as herein-after mentioned break up so much of the carriage-way and footway in any street comprised in the areas specified in the schedule to this Act and shown on the plan signed in triplicate by the Right Honourable Sir Lyon Playfair, K.C.B., the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred and one copy of which has been deposited in the Private Bill Office of the House of Commons and thereon coloured red as may be necessary for the purpose of laying the Company's branches and service-pipes in such streets up to the line of private property and also in like manner for the purpose of

Streets to be broken up by the Liverpool Corporation if required by Company.

A.D. 1884. laying the Company's mains will break up so much of the carriageway and footway in the streets shown on the above-mentioned plan by a dark red line: Provided that the said Corporation shall not be bound to break up or after commencing to continue breaking up any carriageway or footpath in any such street as aforesaid if owing to unforeseen obstacles it is in the opinion of the city engineer impracticable or undesirable to lay mains branches or service-pipes in such street.

Notice to be served by Company and Liverpool Corporation to make trenches.

30. When the Company shall require mains branches and service-pipes to be laid in any of the said streets (herein-after referred to as "the scheduled streets") they shall serve on the city engineer a notice in writing specifying the street or portion of the street in which they require such mains branches and service-pipes to be laid and the Liverpool Corporation shall within seven days after the receipt of such notice commence and with due expedition make the trenches necessary for the mains branches and service-pipes to be laid therein. But the Company shall not require the said Corporation to break up any street or portion of a street lying between two cross streets for the purpose of laying mains branches and service-pipes unless they require mains and branches to be laid for the whole length of such street or portion of a street.

Company to indemnify Liverpool Corporation against claims by owners, &c.

31. The Company shall indemnify the Liverpool Corporation from and against all claims or actions for damage or compensation which may or can be made by any owner lessee or occupier of property abutting on to the street or portion of the street in which the Company require mains branches or service-pipes to be laid by reason of the works so to be executed by the said Corporation damaging or interfering with the property of such owner lessee or occupier.

Company to lay pipes in trenches made by Liverpool Corporation.

32. Forthwith after the Liverpool Corporation shall have made such trenches the Company shall at their own expense commence laying the mains branches or service-pipes as the case may be in such trenches and shall complete the work as soon as possible and the bed of the trenches upon which the mains branches and service-pipes shall be laid shall be prepared by the Company:

After the Company shall have completed the laying down of the mains branches and service-pipes the Liverpool Corporation shall fill in the trenches and reinstate the carriageways and footpaths which shall have been broken up:

The mains branches and service-pipes to be supplied by the Company shall be so formed as to be easily distinguishable from the water mains pipes and sewers of the Corporation laid in the same streets.

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33. The position and levels of the mains to be laid in any street shall be in the sole discretion of the Liverpool Corporation.

Position and level of mains.
Company to deposit £500 as security.

34. Before giving any such notice as aforesaid the Company shall deposit with the city treasurer of the Liverpool Corporation (herein-after called the city treasurer) the sum of five hundred pounds which shall be placed by him upon deposit at interest with the bankers of the said Corporation and shall remain as a security to the said Corporation for the due performance by the Company of their obligations to the said Corporation under this Act. The said Corporation shall render to the Company monthly accounts of expenditure incurred by them in the breaking up and reinstatement of streets for the purpose of the Company's works as authorised by this Act and the Company shall pay the amount of each such account to the city treasurer within seven days after receipt thereof. The said Corporation shall not be bound to commence or continue any work while any such payment is in arrear but may in that case recoup themselves out of the said deposit. Upon completion of all works for which any such notice shall have been given as aforesaid the said sum of five hundred pounds with the interest thereon or any balance thereof after satisfying all sums due to the said Corporation under this section shall be repaid to the Company.

35. The Liverpool Corporation shall not be bound to lay any mains branches or service-pipes in any of the streets within the district of the Company except the scheduled streets unless they agree with the Company so to do and nothing in this Act shall in any way be construed to empower the Company themselves to break up any carriageway or footpath in any street within the city of Liverpool whether scheduled streets or not.

Liverpool Corporation only bound to lay mains, &c. in scheduled streets.

36. In case the Liverpool Corporation shall be about to re-pave widen or improve any scheduled street they may give notice to the Company requiring the Company to state whether they will require any mains to be laid in such street so to be re-paved widened or improved and unless the Company shall within twenty-one days after the receipt of such notice give notice to the said Corporation requiring mains to be laid in such street then the power of the Company to compel the said Corporation to lay mains in such street shall be extinguished and in case the Company shall give notice requiring mains to be laid in such street then the same shall be laid in accordance with the provisions herein-before contained at the time such repairing widening or improving is being carried out.

Provision with respect to streets proposed to be widened or altered.

37. Subject as herein-after mentioned if any repairs are required to be done to the mains branches and service-pipes laid as aforesaid

Liverpool Corporation to open

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streets for
repairs of
mains, &c.

in any street the Company shall give at least twenty-four hours' notice in writing to the city engineer stating the work requiring to be done and the Liverpool Corporation shall thereupon cause the street to be opened for the purpose of allowing the repairs to be done by the Company and the Company shall immediately upon such street being opened commence the repairs and complete them as quickly as possible and the said Corporation shall then reinstate the pavement.

Breakages to
be repaired
by the
Company.

38. If any breakage shall occur to the mains branches or service-pipes laid in any street so as to damage the pavements or other property of the Liverpool Corporation or to cause any interference or annoyance to the vehicular or foot traffic of such street then the Company shall in cases of emergency immediately repair such breakage to the satisfaction of the said Corporation without waiting for a notice to be served as provided by the last preceding section. But if the said Corporation shall themselves wish to open the streets for the purpose of the repairs or to reinstate the pavements after the repairs shall have been executed by the Company they may do so if such work shall not then have been completed by the Company:

Upon any such breakage occurring the Company shall at once send notice thereof to the city engineer.

Expenses of
repairs to be
repaid within
forty-eight
hours.

39. All expenses incurred by the Liverpool Corporation in and about any such repairs as aforesaid shall be paid to the city treasurer by the Company within forty-eight hours after they shall have received notice of the amount thereof from the said Corporation.

Company to
pay for
repairs of
streets for
six months.

40. The Company shall pay to the Liverpool Corporation all reasonable expenses of the repair of any street which shall have been broken up for the purposes of the work of the Company for six months after the same is restored so far as those expenses are increased by such opening or breaking up.

Mains &c.
not to be
removed by
Company.

41. Nothing in this Act contained shall be construed so as to give the Company a right to remove the mains branches or service-pipes up to the line of private property when once they have been laid in any street or to compel the Liverpool Corporation to remove them (excepting so far as may be necessary for the purpose of doing any repairs thereto) or to give the assignees or creditors of the Company any right whatever to remove the said mains branches and service-pipes.

As to ex-
pense of new
and altered
sewers &c.

42. Where any work of the Company interferes with any sewer drain water-main pipe or other work of the Liverpool Corporation

the expenses incurred by the said Corporation in providing such new altered or substituted works as the city engineer may reasonably think necessary shall be ascertained and paid by the Company to the Corporation in manner herein-before provided.

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43. If the Liverpool Corporation shall require the position or level of any mains branches or service-pipes of the Company laid in any street to be altered they may alter the same at the expense of the Company to be ascertained and paid in manner aforesaid but before doing so the said Corporation shall if required by and at the expense of the Company as aforesaid supply other good and sufficient mains branches or service-pipes for continuing the supply of water as sufficiently as the same was supplied through the pipes whose position or level is proposed to be altered and any new mains branches or service-pipes required by the said Corporation for the purpose shall be supplied to them on request by and at the expense of the Company.

Liverpool Corporation may alter mains &c. at expense of Company.

44. The Company shall save harmless and indemnify the Liverpool Corporation from and against all losses and damage which may be incurred by them and from and against any action or claim which may be brought or made against them by reason of the execution or carrying on of the works of the Company or by reason of any accident happening to the mains branches or service-pipes of the Company or through the negligence or default of the Company or their servants or any one using the machinery or motive power supplied by the Company.

Company to indemnify Liverpool Corporation against damage and accidents.

45. The works of the Company shall be liable to be rated for all rates in the same manner as waterworks.

Works to be liable to rates.

46. The Company shall provide a sufficient number of relief valves or regulators or other approved apparatus as will prevent as far as possible the bursting of the mains or service-pipes.

Company to provide relief valves.

47. Notwithstanding anything contained in this Act the Company and the Liverpool Corporation may from time to time enter into and carry into effect agreements with reference to the laying down of mains branches and service-pipes in any streets other than scheduled streets within such part of the district of the Company as is within the city of Liverpool.

Power to Company and Liverpool Corporation to make agreements.

48. The Company shall not exercise any of the powers conferred by this Act within the borough of Bootle except with the consent in writing of the Bootle Corporation and then only subject and according to such terms and conditions as the Bootle Corporation may think fit to impose which terms and conditions they are hereby authorised to make And the Bootle Corporation as part of such

Powers not to be exercised in Bootle except with consent of Bootle Corporation.

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Rights of corporations and companies &c. to open roads reserved.

49. Nothing in this Act shall take away or abridge any power now vested or to be hereafter vested in the Corporations of Liverpool and Bootle respectively or in any company body or person to open break up or alter any street in which any pipe or work of the Company is laid for the purpose of repairing altering or improving such street or of laying down repairing altering or removing any subway sewer or drain or any main or pipe for the supply of water or gas or any telegraphic tubes wires or apparatus or for any other purpose for which such power is given.

Company to remove pipes laid in streets into a subway when made.

50. If at any time hereafter either of the said Corporations shall construct any subway or tube or covered way for the purpose of receiving gas water or other mains or pipes or works in any street in which the pipes of the Company are laid and shall by notice in writing served upon the Company require that the pipes of the Company shall be removed from their then position and laid in any such subway tube or covered way the Company shall consent thereto and shall pay such proportion of the expense of constructing such subway tube or covered way as may be agreed upon or shall in case of difference be settled in manner herein-after provided and shall forthwith at their own expense proceed to remove and lay and thereafter maintain their pipes in such subway tube or covered way in such position as such Corporation by their engineer for the time being may direct and in accordance in all respects with the directions of such engineer provided always that any difference between the parties as to the position in which any such pipe shall be laid and maintained and the proportion of expense of construction to be paid by the Company shall be settled by a referee to be appointed by the Board of Trade on the application of either party and such arbitration shall be made under and subject to the provisions of the Lands Clauses Consolidation Act 1845.

For protection of the sewers &c.

51. Where any work of the Company interferes with any sewer drain watercourse subway water-main pipe or other work of the Corporations of Liverpool and Bootle respectively or any gas-main or pipe of the Liverpool United Gaslight Company (herein-after called "the gas company") or in any way affects the sewerage or drainage of the city or borough the Company shall not commence any such work until they shall have given to such Corporation or the gas company as the case may be fourteen days' previous notice in writing of their intention to commence the same by leaving such

notice at the office of the engineer of such Corporation or of the gas company as the case may require with all necessary particulars relating thereto nor until such Corporation or the gas company as the case may be shall have signified their approval disapproval or other directions within fourteen days after service of the said notice and particulars as aforesaid and the Company shall comply with and conform to all reasonable directions and regulations of the said Corporations and of the gas company in the execution of the said works and shall provide by new altered or substituted works in such manner as such Corporations or the gas company shall reasonably require for the proper protection of and for preventing injury or impediment to the sewers water and gas mains and pipes and other works herein-before referred to by or by reason of the works of the Company and the Company shall not remove or displace any of the mains or pipes or other works belonging to such Corporation or the gas company or do anything to impede the passage of water or gas through the same without the consent of such Corporation or the gas company or in any other manner than such Corporation or the gas company shall approve until good and sufficient mains pipes and other works necessary or proper for continuing the supply of water or gas as sufficiently as the same was supplied by the mains or pipes proposed to be removed or displaced shall at the expense of the Company have been first made and laid down in lieu thereof and ready for use and to the satisfaction of the engineer of such Corporation or of the gas company as the case may require and the Company shall save harmless the said Corporations respectively and the gas company against all expense loss and damage to be occasioned by or by reason of the works authorised by this Act or incident thereto and shall also make full compensation to all parties for any loss or damage which they may sustain by reason of any interference with the aforesaid mains pipes or other works or with the private service pipes of any person supplied with water or gas by the Liverpool Corporation or by the gas company and all works affecting the aforesaid mains pipes or other works shall be done by such Corporation or the gas company as the case may be under the direction superintendence and control of the engineer of the said Corporation or of the gas company at the reasonable costs charges and expenses in all respects of the Company and when any new altered or substituted works as aforesaid or any works connected therewith shall be completed at the costs charges and expenses of the Company under the provisions of this Act the same shall thereupon vest in and be completely under the direction jurisdiction and control of the respective Corporation or of the gas company as the case may be.

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Power to
Corporations
to purchase
at the end of
twenty-two
years.

52. At any time after the expiration of a period of twenty-two years from the passing of this Act and after having obtained from Parliament or any competent Government department power to purchase or exercise so much of the undertaking rights powers and authorities of the Company as are situate or exerciseable within the city and to raise the necessary purchase money the Liverpool Corporation may by notice in writing require the Company to sell and thereupon the Company shall sell to the said Corporation so much of their undertaking as aforesaid at its fair value as a going concern (exclusive of any compensation for compulsory sale) such value to be in case of difference determined by arbitration in the manner provided by the Common Law Procedure Act 1854 and the expenses of the reference shall be borne and paid as the arbitrator directs and when any such sale has been made all the rights powers and authorities of the Company in respect to the portion of the undertaking sold shall be transferred to vested in and may be exercised by the said Corporation in like manner as if the said Corporation were named in that behalf in this Act instead of the Company Provided always that the Company will if required by the said Corporation support any application to Parliament or to a Government department for the necessary powers to purchase the undertaking in accordance with the provisions of this section.

If at the date of the notice to purchase the Company shall be exercising any powers within the borough of Bootle so much of the undertaking rights powers and authorities of the Company as are situate or exerciseable within that borough shall be excluded from the purchase by the Liverpool Corporation and the Bootle Corporation after having obtained the parliamentary or other powers aforesaid may by notice in writing require the Company to sell and thereupon the Company shall sell to the Bootle Corporation so much of the undertaking rights powers and authorities of the Company as are situate or exerciseable within the borough of Bootle at their fair value as a going concern (exclusive of any compensation for compulsory sale) and the provisions of this section as to the determination of the value and consequences of the purchase shall apply to this purchase by the Bootle Corporation.

If Company
wound-up
mains &c. to
belong to
Corpora-
tions.

53. In case the Company shall be wound up or abandon their undertaking then the mains branches and service-pipes laid in any street shall vest in and become the absolute property of the Corporation within whose district the same shall be situate.

Act not to
prevent
Corporations
from supplying
hydraulic
power.

54. Nothing in this Act contained shall hinder or prevent the Liverpool Corporation or the Bootle Corporation from supplying hydraulic power themselves within their respective city and borough.

55. Nothing in this Act contained shall be deemed or construed to exempt the Company from any indictment suit action or other proceeding at law or in equity in respect of any nuisance caused by them.

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Company
not exempt
from action
&c.

56. Nothing herein contained shall be deemed or construed to exempt the Company from the provisions of any general Act for the improvement of the sanitary condition of towns or the abatement of nuisances or for any other purpose relating to the Company or their undertaking now in force or which may hereafter pass or from any enactments which may be hereafter from time to time made by Parliament for limiting the maximum dividends to be declared and paid by the Company and for restricting the power of the Company to convert borrowed money into capital and for fixing and revising the rates and tolls to be received by the Company and for giving all persons and corporations the right to avail themselves of the several works and appliances of the Company on payment of such rates and tolls without preference or favour and for empowering the corporations to take and purchase the portions of the undertaking of the Company within their respective districts after the expiration of such term of years as Parliament shall determine with all the rights powers and authorities of the Company and either subject or not subject to their liabilities debts contracts and obligations at a price to be ascertained by arbitration in such manner as Parliament shall determine together with all proper provisions for effectuating the purposes aforesaid or for any one or more of such purposes exclusively of the others or other of them.

Provision as
to general
Acts.

57. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

Costs of Act.

A.D. 1884.

SCHEDULE referred to in the foregoing Act.

Area A.

A. An area bounded on the north by the city boundary on the south by Prussia Street Earle Street and Edmund Street Oldhall Street and Fazakerly Street on the east by Derby Road Victoria Road Great Howard Street Beacon Street Birch Street Chadwick Street and proposed continuation of Pall Mall on the west by Regent Road Fulton Street Waterloo Road Gibbons Lane Bath Street and Lancelots Hey.

Area B.

B. An area bounded on the north by Canning Place south side and on the south by Park Street on the east by Park Lane Jamaica Street and Grafton Street and on the west by Wapping Chaloner Street and Sefton Street.

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